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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/585,321	04/18/2007	Takahiro Watanabe	2006_1081A	2583
52349 7590 01/18/2008 WENDEROTH, LIND & PONACK L.L.P. 2033 K. STREET, NW SUITE 800 WASHINGTON, DC 20006			EXAMINER WANG, LIANG CHE A	
			ART UNIT 2153	PAPER NUMBER
			MAIL DATE 01/18/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/585,321	Applicant(s) WATANABE ET AL.	
	Examiner Liang-che Alex Wang	Art Unit 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/6/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-4, 6, 7, 14-21 and 23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 14-21 and 23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>7/6/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-4, 6, 7, 14-21, 23 are presented for examination.

Paper Submitted

2. It is hereby acknowledged that the following papers have been received and placed of record in the file:

- a. **Information Disclosure Statements** as received on 7/6/2006 is considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-4, 6, 7, 14-21, 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Kirmse et al., US Patent Number 6,699,125, hereinafter Kirmse.
5. Referring to claim 14, Kirmse teaches a device cooperation service system (figure 4, and figure 11E) for executing an application in cooperation with a plurality of electronic devices connected to a network and realizing a predetermined device cooperation service (Col 1 lines 13-15), the device cooperation service system comprising;

- a. at least one control electronic device (inviter, device 12(1)) for controlling the device cooperation service (Col 7 lines 26-45 the inviter that invites invitee corresponds to the “control device”);
- b. at least one execution electronic device (invitee 12 (2)) for executing the device cooperation service in cooperation with the at least one control electronic device (Col 7 lines 45-53, the invitee that accepts the invitation corresponds to the “execution device”);
- c. a first server (messenger server), connected to the network, for storing service information relating to the device cooperation service (Col 7 lines 36-45); and
- d. a second server (game server), connected to the network, for storing applications necessary for executing the device cooperation service (Col 7 lines 32-35),
wherein the control electronic device includes:
 - i. a storage section (buddy list) for storing device information, concerning all other electronic devices connected to the network, which includes at least information used for identifying a device and information of executable device cooperation services (Col 6 lines 49-55);
 - ii. an identification section for identifying the execution electronic device which is operable to work in cooperation, based on the device information (Col 7 lines 36-45);
 - iii. a service information acquisition section for requesting the first server to retrieve all device cooperation services executable in combination of the control electronic device provided therewith and the execution electronic

device, and acquiring, from the first server, service information containing the all device cooperation services executable having been retrieved (Col 7 lines 26-36, Col 5 lines 54-59, game server serves a plurality of cooperative games/applications);

- iv. an application acquisition section for specifying one of the all device cooperation services executable which are contained in the service information, and acquiring from the second server, only an application necessary for executing the specified one of the all device cooperation services (Col 7 lines 26-36);
- v. an acquisition requesting section for requesting the execution electronic device to acquire from the first server, the service information containing the specified one of the all device cooperation services (Col 7 lines 36-45);
and
- vi. a start requesting section for requesting the execution electronic device to start the specified one of the all device cooperation services, and the execution electronic device includes (Col 7 lines 36-45):
- vii. a service information acquisition section for acquiring, from the first server, service information relating to the device cooperation service to be executed in cooperation with the control electronic device, in response to the request from the control electronic device (Col 7 lines 45-53);

- viii. an application acquisition section for acquiring, for the second server, the application necessary for executing the device cooperation service indicated in the service information (Col 7 lines 45-53), and
 - ix. an execution section for executing the acquired application (Col 7 lines 50-53).
6. Referring to claim 15, Kirmse teaches the device cooperation service system according to claim 14, further comprising a proxy device for relaying data to be exchanged between an in-home electronic device connected to an in-home network and an out-of-home electronic device connected to an out-of-home network.
7. Referring to claim 16, Kirmse teaches the device cooperation service system according to claim 15, wherein the proxy device acquires, from the out-of-home electronic device, device attribute information including the device information and distributes the acquired attribute information to the in-home electronic device (figure 1 Col 4 lines 33-54, network 16).
8. Referring to claim 17, Kirmse teaches the device cooperation service system according to claim 16, wherein the proxy device distributes the attribute information to the in-home electronic device using, as a trigger, the acquisition of the attribute information from the out-of-home electronic device (Figure 1, buddy list, Col 6 lines 1-20).
9. Referring to claim 18, Kirmse teaches the device cooperation service system according to claim 16, wherein the proxy device distributes the attribute information to the in-home electronic device using, as a trigger, a request of the attribute information received from the in-home electronic device (figure 1, Col 7 lines 27-53).

10. Referring to claim 19, Kirmse teaches the device cooperation service system according to claim 15, wherein the proxy device acquires device attribute information including the device information from the in-home electronic device and distributes the acquired attribute information to the out-of-home electronic device (figure 1, Col 7 lines 27-53).
11. Referring to claim 20, Kirmse teaches the device cooperation service system according to claim 19, wherein the proxy device distributes the attribute information to the out-of-home electronic device using, as a trigger, the acquisition of the attribute information from the in-home electronic device (figure 1, Col 7 lines 27-53).
12. Referring to claim 21, Kirmse teaches the device cooperation service system according to claim 19, wherein the proxy device distributes the attribute information to the out-of-home electronic device using, as a trigger, a request of the attribute information received from the out-of-home electronic device (figure 1, Col 7 lines 27-53).
13. Referring to claim 23, Kirmse teaches the device cooperation service system according to claim 15, wherein the information used for identifying the device is device type data indicating a device type of the electronic device (Col 7 lines 26-45, Col 6 lines 49-63), and the proxy device associates, for management, the acquired service information with the device information of the electronic device corresponding to the device type data having been specified for retrieving the device cooperation service, thereby identifying the electronic device which executes the device cooperation service (figure 1, network 16, messenger server with buddy list and user list).

14. Referring to claims 1-4, 6-7, claims 1-4, 6-7 encompass the same scope of the invention as that of the claims 14-21, 23. Therefore, claims 1-4, 6-7 are rejected on the same ground as the claims 14-21, 23.

Conclusion

15. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objection made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).
16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.
17. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton B Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.
18. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Application/Control Number:
10/585,321
Art Unit: 2153

Page 8

have questions on access to the Private PAIR system, contact the Electronic Business
Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
January 9, 2008

A handwritten signature in black ink, appearing to read "Liang-che Wang" in a stylized, cursive script.